

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

ROSHIA MOORE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No.
)	
KEVIN WILSON and)	
TRADEWINDS LOGISTICS, INC.,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COMES NOW Defendant, Tradewinds Logistics, Inc., by and through its attorneys, Roberts Perryman, P.C., and files its Notice of Removal stating the following:

INTRODUCTION

1. A civil action has been commenced and is now pending in the Circuit Court of New Madrid County, Missouri, Cause No. 18NM-CV00745, wherein Roshia Moore, Linda Moore, D.S. and Z.M. are Plaintiffs, and Tradewinds Logistics, Inc. and Kevin Wilson are Defendants.

2. This action is a civil action wherein Plaintiffs have pled damages for personal injuries and wrongful death as a result of Defendants' alleged negligence in connection with a motor vehicle accident occurring on May 27, 2015.

3. Defendant Tradewinds Logistics, Inc. has been served with Plaintiff's Petition and consents to removal.

4. Upon information and belief, Defendant Kevin Wilson has not been served with Plaintiff's Petition.

DIVERSITY OF CITIZENSHIP EXISTS

5. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. §1332, and is one which may be removed to this Court by Defendants pursuant to 28 U.S.C. §1441, and that this is a civil action or proceeding involving diversity of citizenship.

6. Plaintiffs Roshia Moore, D.S. and Z.M. are citizens of the State of Mississippi and Plaintiff Linda Moore is a citizen of the State of Indiana.

7. Defendant Kevin Wilson at all relevant times was and is a citizen of Louisiana.

8. Defendant Tradewinds Logistics, Inc. is an Indiana corporation with its principal place of business located in Westfield, Indiana.

THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED

9. The amount in controversy exceeds \$75,000.00 exclusive of interest and costs as Plaintiffs' Petition contains ten (10) separate counts, each seeking in excess of \$25,000.00. Plaintiffs' Petition also contains a claim for the wrongful death of Roosevelt Moore arising out of the accident. Therefore, the amount in controversy requirement is satisfied.

NOTICE OF REMOVAL IS TIMELY

10. Defendant Tradewinds Logistics, Inc. was served on December 17, 2018, so less than thirty (30) days has elapsed since receipt of said initial pleadings by Defendant and this removal is therefore timely.

11. Defendant files herewith a copy of all pleadings and orders served upon it. *See Exhibit A.*

WHEREFORE Defendant Tradewinds Logistics, Inc., by and through its attorneys, pray the Court to accept its Notice for Removal, and enter any such orders as may be necessary to

effect the complete removal of this action from the Circuit Court of New Madrid County, Missouri to the United States District Court for the Eastern District of Missouri and that further proceedings be discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,

ROBERTS PERRYMAN, P.C.

/s/ Jason D. Guerra

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Attorneys for Defendant

Tradewinds Logistics, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed upon the court's electronic filing system this 15th day of January, 2019 to:

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